UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF PENNSYLVANIA

MARK WRIGHT, :

Plaintiff :

CIVIL ACTION NO. 3:18-1595

v. :

(Judge Mannion)

Warden R. PERDUE, et al.,

Defendants :

ORDER

In accordance with the memorandum issued this same day, IT IS HEREBY

ORDERED HAT:

- Defendants' motion to dismiss Plaintiffs' complaint, (Doc. 27) is GRANTED.
- 2. Plaintiff's complaint is **DISMISSED** without prejudice.
- 3. Plaintiff's motion for preliminary injunction (Doc.<u>2</u>) is **DISMISSED** as moot.
- 4. Plaintiff's discovery motions (Docs. <u>13</u>, <u>24</u>, <u>31</u>) and Defendants' motion for protective order (Doc. <u>35</u>) are **DISMISSED** as moot.
- 5. The Clerk of Court is directed to **CLOSE** this case.
- 6. Any appeal from this order will be deemed frivolous, without probable cause and not taken in good faith.

S/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

DATE: February 25, 2019

O:\Mannion\shared\MEMORANDA - DJ\CIVIL MEMORANDA\2018 MEMORANDA\18-1595-01-ORDER.wpd